

REMARKS

The Drawings are objected to for failure to include a “Prior Art” legend in Figs. 1 – 3. Applicant has submitted corrected drawings marked-up in red for Figs. 1 – 3 that include a “Prior Art” legend. This objection to the Drawings is now deemed moot.

The Drawings are also objected to for failure to include reference numerals “10”, “13” and “18”. Note that reference numeral “10” is shown in original Fig. 1. Reference numeral “13” has been added to Fig. 1 in the corrected drawings. The reference numeral “18” has been removed from Fig. 1 and the specification. This objection to the Drawings is now deemed moot.

The Drawings are also objected to for failure to show the “data communication device” of claim 27. Applicant has amended Fig. 11 to include the modem originally referenced on page 6 of the specification, and also amended page 6 to include the reference numeral “76” that designates the modem in Fig. 11. The modem is an exemplary embodiment of the “data communication device” of claim 27. This objection to the Drawings is now deemed moot.

Claims 9-27 are pending in the present application. Claims 19, 20, 21 and 25 stand rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,673,533 to Wang et al. Claims 9-10, 12-15, 23-24 and 26-27 stand rejected under 35 USC 103(a) as being obvious over Wang et al. in view of U.S. Patent No. 6,763,728 to Albrecht. Claims 11 and 16-18 stand rejected under 35 USC 103(a) as being obvious over Wang et al. and Albrecht further in view of

U.S. Patent No. 5,515,159 to Sites et al. Applicant has amended the claims to more clearly define the present invention.

More particularly, Applicant has amended independent claim 19 to recite:

... a housing that supports a medical packaging device, a peel testing device and a microprocessor, the medical packaging device forming a seal on the package by localized heating to a temperature that melts the package, a peel testing device having a drive mechanism that pulls apart the seal and a mechanism that collects data relevant thereto, and the microprocessor in communication with said medical packaging device and said peel testing device.

Applicant respectfully submits that these features distinguish clearly over the arrangements of the cited prior art.

Wang et al. discloses an arrangement for testing the seal strength and integrity of a package wherein pressured air is directed under a sealed lid for seal integrity testing. Proximity sensors are positioned over the sealed lid for sensing movement in the lid during testing. A computer processing unit is electrically linked to the sensors for processing and recording output signals obtained from the sensors. The computer processing unit is also electrically linked to the to an air cylinder for supplying pressurized air during testing. Col. 3, lines 20-37. Nowhere does Wang et al. teach or suggest the integration of the medical packaging device, peel testing device and microprocessor into a single housing as recited in the claim. Furthermore, Wang et al. fails to teach or suggest a microprocessor in communication with both the medical packaging device and the peel testing device as recited in the claim. Advantageously, these features allow an operator to perform the package sealing operation as well as the peel testing operation on a single machine, which greatly increases the efficiency of the sealed package production process. It also

allows for computer-driven cooperation between the package sealing operation as well as the peel testing operations, which allows for improved compliance of the sealing operations and thus improved efficiency in the production process.

The arrangement described in Albrecht does not remedy the shortcomings of Wang et al. More particularly, the Albrecht arrangement does not teach or suggest the integration of the medical packaging device, peel testing device and microprocessor within a single housing as recited in the claim. Furthermore, Albrecht fails to teach or suggest a microprocessor in communication with both the medical packaging device and the peel testing device as recited in the claim.

For these reasons, it is respectfully submitted that independent claim 19 is patentably distinct from the cited prior art. Similar arguments apply to independent claim 9. Moreover, claim 9 recites that a cutting mechanism is supported by the housing of the integrated packager and peel tester. Nowhere is this feature taught or suggested by the cited prior art.

Dependent claims 10-18 and 20-27 are patentable over the prior art for those reasons advanced above with respect to the independent claims 9 and 19 from which they respectfully depend and for reciting additional features that are neither taught nor suggested by the prior art.

For example, claim 22 recites that “said microprocessor is adapted to prompt a user to perform a peel test upon detection that said medical packaging device has performed a

predetermined number of seal forming operations.” Claim 24 recites that “said microprocessor is adapted to selectively enable said medical packaging device in accordance with results of analysis of the data communicated from said peel tester.” Nowhere does the prior art teach or suggest these features. The Examiner points to the control operations carried out by the PC 58 of FIG. 6 as teaching these operations. However, the PC 58 is described as monitoring only peel testing operations (Col. 4, lines 52-61) and thus has no control over a medical packaging device as recited in the claim.

In yet another example, Claim 10 recites “an optical sensing device located adjacent to a seal platen of said medical packaging device.” Nowhere does the prior art teach or suggest this feature. The Examiner points to the proximity sensor 60. However, the sensor 60 is used to sense movement in the lid during seal integrity sensing and is not located adjacent the seal platen of a medical packaging device as recited in the claim. It is also not described as an optical sensor.

Should any issues remain outstanding, the Examiner is invited to call the undersigned attorney of record so that the case may proceed expeditiously to allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jay P. Sbrollini". The signature is fluid and cursive, with the first name "Jay" and last name "Sbrollini" clearly distinguishable.

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Amended Sheet

Fig. 1
PRIOR ART

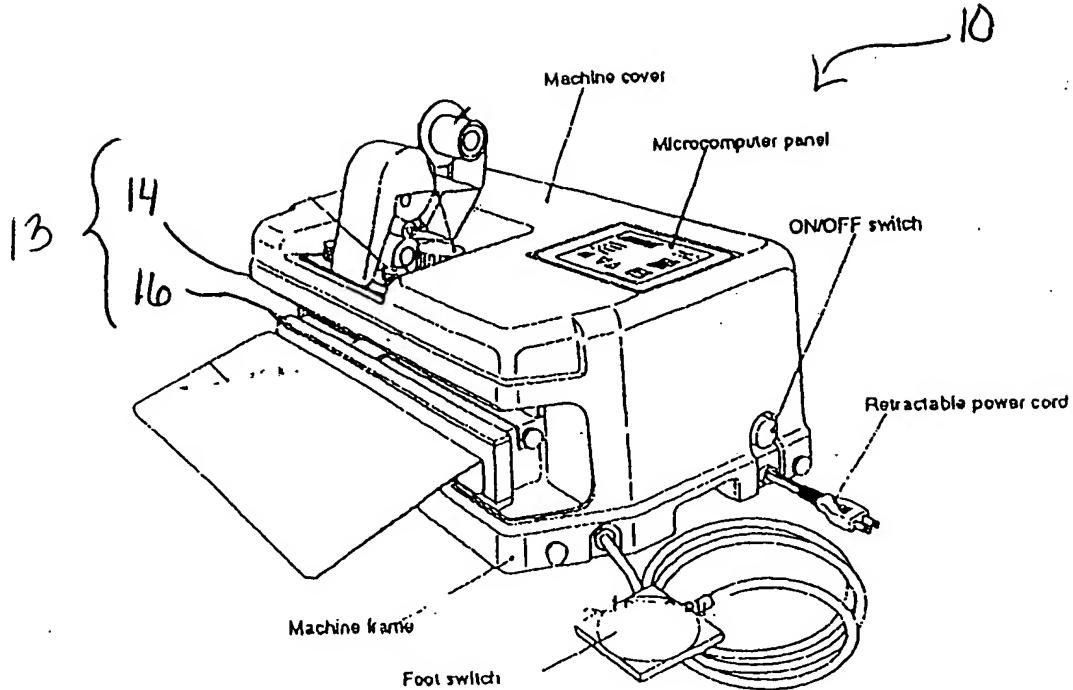
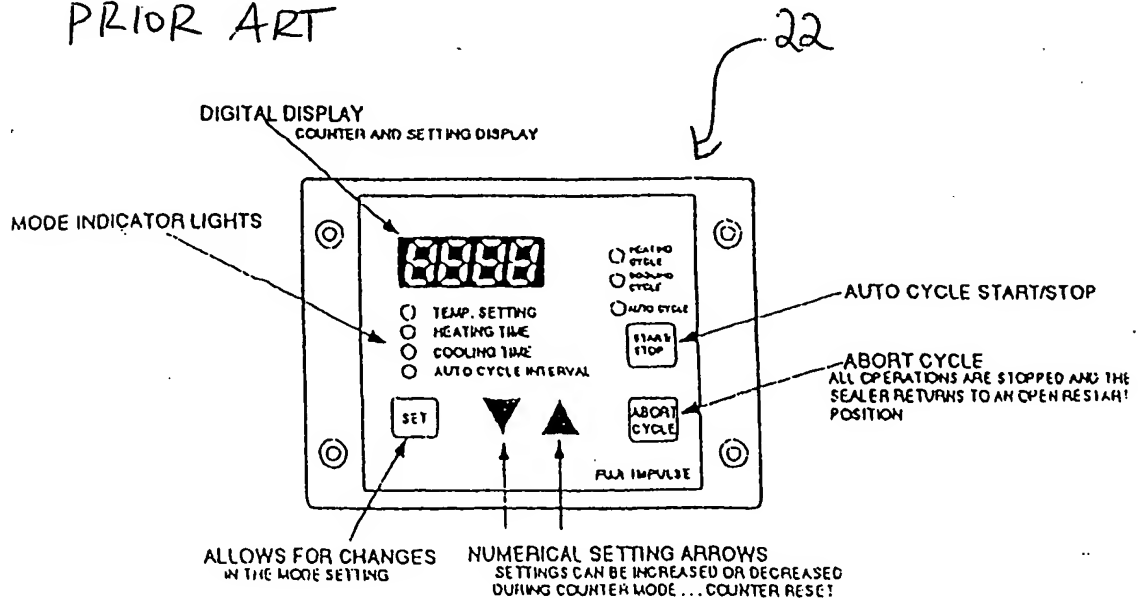


FIG. 2
PRIOR ART



Amended
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Fig. 3
PRIOR ART

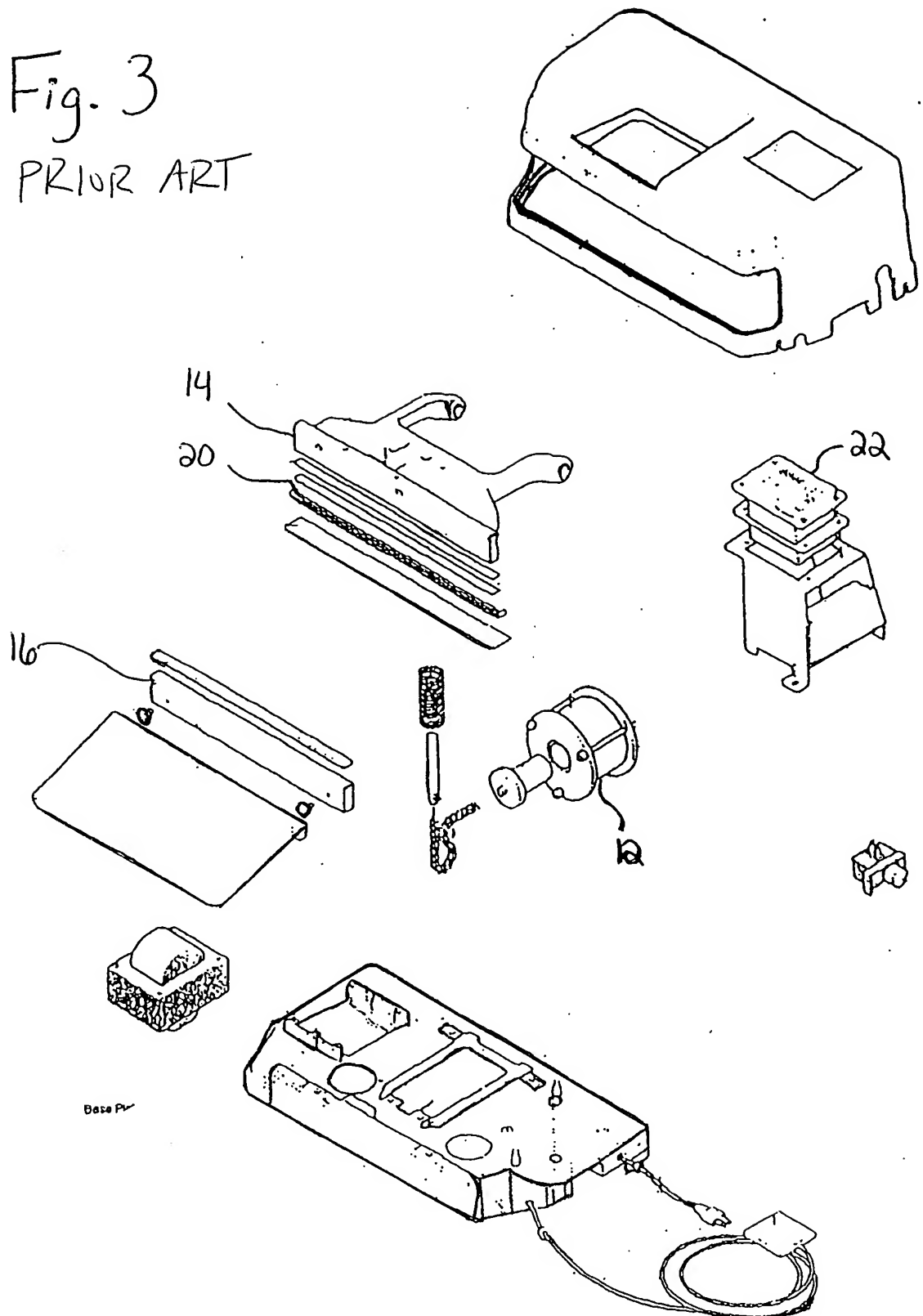


Fig. 11

